

FILED



8:50 am, 2/22/22

Margaret Botkins
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

CHRISTIE HIGGINS, RN, et al.,

Plaintiffs,

vs.

Case No. 21-CV-232-NDF

CHEYENNE REGIONAL MEDICAL
CENTER, MEMORIAL HOSPITAL OF
CONVERSE COUNTY,

Defendants.

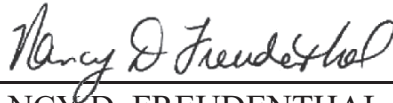
ORDER DISMISSING CASE WITHOUT PREJUDICE

This matter comes before the Court *sua sponte*. Defendants Cheyenne Regional Medical Center and Memorial Hospital of Converse County filed a motion to dismiss pursuant to Fed. R. Civ. Proc. 12(b)(6) on January 31, 2022. (CM/ECF Document [Doc.] 6). Plaintiffs' response to the motion was due February 14, 2022. Local Rule 7.1(b)(2)(A) provides that "[t]he Court may, in its discretion, consider the failure of a responding party to file a timely response as a confession of the motion."

Plaintiffs have failed to file a timely response to the motion to dismiss, and the Court will consider this failure a confession of the motion. Defendants seek dismissal of the complaint in its entirety with prejudice. The Court finds that this motion (Doc. 6) should be GRANTED IN PART and will dismiss the case, but without prejudice.

Accordingly, this case is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close this case.

IT IS SO ORDERED this 22nd day of February, 2022.

A handwritten signature in cursive script, reading "Nancy D. Freudenthal", is positioned above a horizontal line.

NANCY D. FREUDENTHAL
UNITED STATES DISTRICT JUDGE